

# The Gazette of India



## EXTRAORDINARY

### PART II—Section 2

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No. 25] NEW DELHI, WEDNESDAY, APRIL 22, 1953

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### COUNCIL OF STATES

This Bill was introduced in the Council of States on the 22nd April 1953 :—

BILL No. XIII OF 1953

*A bill to extend the jurisdiction of the High Court at Calcutta to Chandernagore and the Andaman and Nicobar Islands.*

BE it enacted by Parliament as follows :—

1. **Short title.**—This Act may be called the Calcutta High Court (Extension of Jurisdiction) Act, 1953.

2. **Extension of jurisdiction of Calcutta High Court to Chandernagore and Andaman and Nicobar Islands.**—The jurisdiction of the High Court at Calcutta shall extend to Chandernagore and the Andaman and Nicobar Islands and shall, as from the 2nd day of May, 1950, be deemed to have extended to Chandernagore, and the said High Court shall, for all purposes, be deemed to be the High Court for Chandernagore and the Andaman and Nicobar Islands.

3. **Effect of certain orders.**—Any order made—

(i) by the highest court of appeal in relation to Chandernagore before the 2nd day of May, 1950, or in any proceeding pending before that court on that day, or

(ii) by the Chief Commissioner of the Andaman and Nicobar Islands before the commencement of this Act in the discharge of his functions as the High Court for those Islands,

shall for all purposes have effect, not only as an order of that court, or as the case may be, of the Chief Commissioner, but also as if it were an order made by the High Court at Calcutta.

4. **Power to make rules.**—Subject to the provisions of any law for the time being in force, the High Court at Calcutta may make rules to carry out the purposes of this Act and for the purpose of effectively exercising its jurisdiction in or in relation to Chandernagore and the Andaman and Nicobar Islands.

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#### STATEMENT OF OBJECTS AND REASONS

The Bill seeks to extend the jurisdiction of the Calcutta High Court to Chandernagore and the Andaman and Nicobar Islands.

2. In the case of Chandernagore, the Calcutta High Court has been the High Court for purposes of certain laws which were extended to the area after its *de facto* transfer to India by an Order made by the Central Government under the Foreign Jurisdiction Act, 1947. Now that *de jure* transfer of the area to India has been effected, it is considered that the jurisdiction of that High Court should extend to that area for all purposes by an Act of Parliament as contemplated in article 230 of the Constitution.

3. In relation to the Andaman and Nicobar Islands also, the Calcutta High Court is the High Court for the purposes of a limited number of laws including the Codes of Civil and Criminal Procedure. The Bill is designed to confer on the High Court jurisdiction for all purposes.

K. N. KATJU.

NEW DELHI;

The 15th April, 1958.

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S. N. MUKERJEE,

Secretary.